

House Bill 1089

By: Representatives Jackson of the 161st, Heard of the 114th, and Mangham of the 94th

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates and special plates for certain persons and vehicles, so as to
3 provide for a special license plate honoring Kappa Alpha Psi Fraternity, Inc.; to provide for
4 issuance, renewal, fees, licensing agreements, applications, and transfers relative to such
5 special license plates; to provide for an effective date; to repeal conflicting laws; and for
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
10 prestige license plates and special plates for certain persons and vehicles, is amended by
11 adding a new Code Section 40-2-86.18 to read as follows:

12 "40-2-86.18.

13 (a) There shall be issued beginning July 1, 2007, special license plates honoring Kappa
14 Alpha Psi Fraternity, Inc. Kappa Alpha Psi Fraternity, Inc., was founded in 1911 in
15 Bloomington, Indiana. It is an international social organization with a belief in personal
16 achievement and is committed to Christian principles and service to mankind.

17 (b) The commissioner, in cooperation with supporters of this license plate in the
18 southeastern region of Kappa Alpha Psi Fraternity, shall design a special license plate to
19 be issued displaying the fraternity shield and the designation 'Kappa Alpha Psi Fraternity,
20 Inc.' The license plates must be of the same size as general issue motor vehicle license
21 plates and shall include a unique design and identifying number, whereby the total number
22 of characters does not exceed six. It shall not be a requirement that a county name decal
23 shall be fixed and displayed on license plates issued under this Code section. The graphic
24 on the special license plate shall be placed to the left of the alphanumeric characters and
25 shall be no larger than three inches by three inches.

1 (c) Notwithstanding the provisions of subsections (a) and (b) of this Code section, this
2 Code section shall not be implemented until such time as the State of Georgia has, through
3 a licensing agreement or otherwise, received such license or other permission as may be
4 required to implement this Code section. The design of the initial edition of such special
5 license plate, as well as the design of subsequent editions and excepting only any part or
6 parts of the designs owned by others and licensed to the state, shall be owned solely by the
7 State of Georgia for its exclusive use and control, except as authorized by the
8 commissioner. The commissioner may take such steps as may be necessary to give notice
9 of and protect such right, including the copyright or copyrights. However, such steps shall
10 be cumulative of the ownership and exclusive use and control established by this
11 subsection as a matter of law, and no person shall reproduce or otherwise use such design
12 or designs, except as authorized by the commissioner.

13 (d) On and after January 1, 2007, any motor vehicle owner who is a resident of Georgia,
14 other than one registering under the International Registration Plan, upon complying with
15 state laws relating to registration and licensing of motor vehicles and payment of a
16 manufacturing fee of \$25.00 in addition to the regular motor vehicle registration fee, shall
17 be issued such a special license plate upon application therefor. Special license plates
18 issued under this Code section shall be renewed annually with a revalidation decal as
19 provided in Code Section 40-2-31 upon payment of an additional \$25.00 annual
20 registration fee, which fee shall be collected by the county tag agent at the time of
21 collection of other registration fees and remitted to the state as provided in Code Section
22 40-2-34.

23 (e) An applicant may request an Kappa Alpha Psi Fraternity, Inc., license plate any time
24 during the applicant's registration period. If such a license plate is to replace a current
25 valid license plate, the license plate shall be issued with appropriate decals attached.

26 (f) No special license plate authorized pursuant to this Code section shall be issued except
27 upon the receipt of at least 1,000 applications. The special license plate shall have an
28 application period of two years after January 1, 2007, for payment of the manufacturing
29 fee. After such time if the minimum number of applications is not met, the department
30 shall not continue to accept the manufacturing fee, and all fees shall be refunded to
31 applicants.

32 (g) The department shall not be required to continue to manufacture the special license
33 plate if the number of active registrations falls below 500 registrations at any time during
34 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current
35 registrant may continue to renew such special license plate during his or her annual
36 registration period upon payment of an additional \$25.00 annual special tag fee, which fee

1 shall be collected by the county tag agent at the time of collection of other registration fees
2 and shall be remitted to the state as provided in Code Section 40-2-34. The department
3 may continue to issue such special license plates that it has in its inventory to assist in
4 achieving the minimum number of registrations. If the special license plate falls below 500
5 active registrations at any time during the five-year period as provided in subsection (b) of
6 Code Section 40-2-31, manufacture of the license plates shall not be continued until the
7 commissioner receives 1,000 applications.

8 (h) License plates issued pursuant to this Code section shall be transferred between
9 vehicles as provided in Code Section 40-2-42.

10 (i) 'Kappa Alpha Psi Fraternity, Inc.' license plates shall be issued within 30 days of
11 application."

12 **SECTION 2.**

13 This Act shall become effective on January 1, 2007.

14 **SECTION 3.**

15 All laws and parts of laws in conflict with this Act are repealed.